

DRYS SPLIT ON THE
MEANING OF THE LAW

In correspondence which has passed between Field Secretary Grady Gammage, and General Secretary A. R. Bucknam, of the Arizona Temperance Federation, the divergent views of these two workers in the cause on the question of personal liability in the use of alcoholic beverages is clearly shown. The correspondence is as follows:

Tucson, Ariz., Sept. 23, 1915.

Dear Mr. Bucknam:

Your letter and circulars received. Glad to get them. It's a good idea to get the results of prohibition before the people. It will vindicate itself when the facts are known.

But there is one thing that I can't at all agree with you on, and that is your approval of Judge Shute's decision. He may be right legally, but the amendment certainly did not intend for it to be brought in for personal use, and if it is brought in thus, the effect of our amendment to a great extent will be nullified.

The idea has gotten out from Bisbee to other places that the prohibitionists want it brought in for personal use. Now I for one am unalterably to any such concession.

With best wishes, I am,
Fraternally yours,
GRADY GAMMAGE,
Field Secretary Temperance Federation of Arizona.

The Reply.

Bisbee, Ariz., Sept. 25, 1915.

My Dear Mr. Gammage:

I was certainly glad to receive your letter and to have you express yourself so freely. My contention is that Judge Shute's decision is a prohibition victory, because it is in harmony with the amendment and the amendment is our amendment, whatever our personal views may be.

Either Wiley Jones is right in his contention that you cannot introduce into the State liquor for any purpose, or Judge Shute is right that you can introduce it.

Hard to Amend.

If we hold to the Jones position we have little ground to complain of the legislature for not passing laws regulating the liquor that could not come into the State.

I am free to say, Brother Gammage, that if the court holds that Wiley Jones is right and Judge Shute is wrong, it will be next to impossible for the wets to amend the law so that alcoholic liquors for personal use as they will call for repeal of the whole amendment and in such a battle we would skin them alive as the present good results are seen on every side.

Should the court uphold Judge Shute, it would confirm every argument made by the dries during the campaign in which they tried to show the voter that liquor could be shipped in except to sell or give away, and all we can do will be to go on and make the law a little stronger.

Wets Were Wrong.

I have always contended that the wets were wrong in their contentions that this amendment did not allow any liquor to be shipped into the State, and I hold to this opinion at this time. Since many hold to your view of this matter, I am very glad that they have representatives in the field employed by the same federation as I am, to look after their interests.

But as I see it, I must stand for the amendment as I was led to believe it was interpreted before the election, and thereby secured the votes of the people with that understanding.

For your sake and those who are like-minded I shall be delighted to have the Supreme court hold that Jones is correct in his interpretation of the amendment and that the dries were all wrong, but I don't like to give lives and Wright a chance to say I told you so.

What Might Happen.

In other words, I hate to admit that I was wrong last year when every thing goes to show that I was not. I don't think it is wise to give an inch to the enemy.

The wets would like to have a chance to say that the temperance people did not know what they were about and on the strength of that, call for the repeal of the law.

It has been said over and over again that the people voted for the amendment on account of the statement of the wets, that no liquor could come in for any purpose, and I know this is true. It is also true that many voters voted with us who thought that they could get all the liquor they wanted, as in all other prohibition States in the union, because many of them came from those States.

The Consequences.

Keep this in mind, that if Judge Shute is sustained, there is no sentiment enough in Arizona to amend the law to stop liquor from coming into the State for personal use.

But whatever happens, let us go on and get into the heads of the people that this great curse, the liquor traffic, must be driven from the pathway of humanity and must no longer stop the world's progress.

I may not have made myself as clear as I should but at least I have tried my best and I shall be glad to answer any question you may desire to ask. Don't think that I will be offended at anything you may say as I well know that you only want what will be the greatest good to all concerned.

Yours very truly,

A. R. BUCKNAM,
General Secretary Temperance Federation of Arizona.

IMPORTANT IS QUESTION UP TO SMITH

(From Sunday's Daily.)

Dong Wah will answer to the charge of having introduced liquor into the State of Arizona in the Superior court, for Justice of the Peace McLane yesterday, after he had heard the evidence in the two cases, dismissed the one charging the Chinaman with selling liquor to W. P. How and bound the defendant over under bonds of \$500 on the other.

Wah's case, as it now stands, is undoubtedly the most important bootlegging case that has come into the courts in Yavapai since the first of the year, for on it hinges the question whether a man can or cannot, under the prohibition amendment, introduce liquor into the State for his personal use. With the charge of selling the liquor dismissed, Wah's case is one of bringing liquor into the State for his personal use. Whether the fact that 72 bottles were shipped to him in one consignment will prove differently, remains to be found out in the higher court.

The charge of selling the liquor was dismissed by Justice McLane because it was one Chinaman's word against another, and How, the man that was the principal witness, in his testimony, said that he was trying to get even with Wah. Although Wah was not on the stand, he declares that he did not sell any liquor to How. How's testimony relative to cashing the check was contradicted by E. A. Kastner.

U. S. Authorities Act.

Trouble seems to be stacked high in favor of Wah, for yesterday, to add to his grief, he was arrested by the sheriff's office on a Federal warrant charging him with carrying on a retail liquor business without a United States license, the charge being made by United States Internal Revenue Officer R. E. Grizard, who has been in Prescott the last few days, investigating the case. Wah, after being arrested, was taken before United States Commissioner F. L. Hawthorn and arraigned on the charge. He was released on furnishing \$500 bail. He will have a hearing before Hawthorn next Tuesday afternoon at 2 o'clock.

After the charge of selling liquor had been dismissed Attorney Robert E. Morrison started his argument for a dismissal on the second charge, admitting that Wah had imported the liquor from California and basing his argument on the grounds that the defendant had brought it into the State merely for his personal use, thereby not violating the "dry" amendment. Morrison quoted the Webb-Kenyon act, passed by congress, saying that, according to it, liquor can be brought into any State providing that its introduction does not violate any of the State's laws. He also declared that when Wah brought the gin and whiskey into the State he had no intention of violating the law by selling the liquor. He also said that in the State of Kentucky the law which prohibited the shipping of liquors into dry sections was declared unconstitutional by the Supreme court.

Morrison asked Sheriff Joe Young over the coals, declaring that the sheriff of this county or any other had not right to use a skeleton key and enter a man's home without a writ or a search warrant. He also said that Young could go to every drug store in the city and he would find patented medicines which contain between 20 and 40 per cent of alcohol.

Deputy County Attorney Morgan held that, under the prohibition amendment, the phrase "intoxicating liquors shall not be manufactured or introduced into the State under any pretense," prohibited its introduction for personal use as well as for the purpose of selling it.

SUMMONS COMES TO ANOTHER PIONEER

(From Sunday's Daily.)

Advices from Los Angeles yesterday brought the surprising news of the death of that city on last Thursday of Platt Clayton Wilder, after what is believed to have been a sudden illness. Arizonans in that city recently mentioned the deceased as in splendid health, and, accordingly, his death comes unexpectedly and is to be very much regretted.

The deceased moved to the coast only last spring, from this city. He had been a resident of this county for over 45 years. In early days he was heavily interested in the range cattle business in the Camp Wood region, selling out and moving to this city, where he made his home.

His death takes away another splendid citizen whose business dealings always were attended with a strict regard to honesty and fairness to the smallest detail. In short the death of this Arizonan takes away another substantial and upright citizen, as well as a man whose genial fellowship was known throughout this county. He is survived by a widow and two daughters.

GOOD ROADS TO SOON MEET AT FLAGSTAFF

(From Sunday's Daily.)

Road construction in California, and a system of co-operation among the various counties of Arizona to provide for a general highway system in this State will be subjects of discussion at the next conference of the Arizona Good Roads Association, which will be held at Flagstaff, Saturday, October 9.

Invitations to the conference are being sent broadcast throughout the State to all who are interested in the subject of good roads, and a special effort is being made to secure the attendance of the women of Arizona at the meeting and take active part in the work of the organization and its future plans. Invitations have also been extended to members of the forest service and other branches of the department of the interior to attend and point out how their different departments can assist in the work of roadbuilding in Arizona.

Arrangements are being made whereby the receipt certificate plan will be available for the conference. This will enable delegates to attend the meeting for a rate of one and one-third times the regular one-way fare.

The last meeting of the Good Roads Association was held in Tucson. Delegates from all parts of the State were in attendance and much instructive information bearing on good roads construction was given.

Among the important subjects which will be discussed will be the following:

Co-operation of counties on a general highway system.

The road drag—its importance in road construction in Arizona.

A uniform system of road accounting.

The concrete highways and recent road construction in California.

Why State and county officials should encourage good roads.

The importance of county bond issues for good roads.

Roads on reservations and Federal aid.

The work of the Woman's Auxiliary.

Road signs in Arizona.

Results of the Pan-American Road Congress.

A road exhibit at the Arizona State Fair.

NEW FEATURES PROVIDED FOR THE FAIR

(From Sunday's Daily.)

When it comes down to "an honest to goodness" race, the public wants to keep its eyes open for the mule race, which is to be pulled off during one of the days of the fair. This will be a side issue from the regular racing program and will be run for a purse of \$500. Granville Fain is backing the "Verde mule," while Maxwell of Winslow, has the "Navajo songster," in training. Doc Pardee says this is going to be one of the best events held in connection with the fair. It is the first time such a race has been offered to the public in Arizona.

The additional stalls at the race track are nearing completion and it will be but a few days before they are occupied by racing horses from outside. One of the latest entries is that of R. J. Stanley, of Riverside, California, who has asked that two stalls be reserved for his horses.

The fair association, through Chairman Williams, of the concessions committee, yesterday wired Messrs. Barnes and Smith, of Raton, N. M., advising them that the fair association would permit them to operate their motordome during fair week.

The firemen are planning to introduce some new and novel stunts, and for these sports the fair association has set aside a liberal amount. This has been augmented by a donation from the Bar Association, through Attorney E. S. Clark.

Two special displays of apples will be made during the fair, one of 50 boxes by C. C. Callaway, of Camp Verde, and the other of 100 boxes by C. B. Coulson, of Aultman. In the agricultural department will also be placed the horn of plenty, containing a wagonload of corn, which is to be furnished by John Bianconi.

CLAIMS APPEAL IS WITHOUT AUTHORITY

PHOENIX, Oct. 2.—Alleging that the appeal of State Auditor J. C. Callaghan in the appropriations case is frivolous and unwarranted, that it is being prosecuted without authority of law, and is hindering and delaying the administration of the State's affairs, the attorney general Friday filed motion in the Supreme court to dismiss the appeal.

The motion, after reciting the facts in the case, asks that the appeal be dismissed on five grounds: the first of which is that the appeal is frivolous. Callaghan and his bondsmen, it is stated, are fully protected by the judgment of the Superior court and have no personal or pecuniary interest in the appeal. Secondly, it is alleged that the State of Arizona is the only party affected by the correctness or incorrectness of the judgment of the lower court. Callaghan, the third reason says, is assuming to act for the State without the authority

and against the wishes of the attorney general, who is by law the only proper officer to take action.

The expenditures involved in the auditor's appeal and his employment of counsel, the motion states, are without authority of law and contrary to the provisions of the constitution of the State. Furthermore, the motion adds, the appeal is hindering and delaying the administration of the necessary affairs of the State. Dismissal of the appeal is asked, and that the costs be taxed against J. C. Callaghan. The motion is signed by Attorney General Wiley E. Jones, Assistant Attorney General George L. Stoneman, of the counsel for Jesse L. Byrce, the appellee. The appellant has 10 days in which to file an answering brief.

ACHIEVE THEIR OBJECT

LONDON, Oct. 3.—The British delivered a counter attack Friday night on the Teutonic forces southwest of Fosse, France, and achieved the "object," which was the two German trenches," according to a report from Field Marshal French.

Proceedings of the Board of Supervisors of Yavapai County, Arizona.

OFFICE OF BOARD OF SUPERVISORS, YAVAPAI COUNTY, ARIZ. Prescott, Arizona, September 20, 1915.

Board of Supervisors of Yavapai County, Arizona, met pursuant to adjournment on Monday, September 20, 1915, at 9:30 o'clock a. m.

Present: William Stephens, Chairman; Henry J. Suder, Member; R. T. Belcher, Clerk.

The report of F. L. Campbell, Constable, Seligman Justice Precinct, for the month of August, 1915, was received, checked and ordered filed. The appointment by J. F. Young, Sheriff, of Timothy Green as Deputy Sheriff without compensation, was taken up and confirmed.

The official call of the Arizona Good Roads Association for a conference to be held at Flagstaff, Arizona, on October 9th, 1915, was received. The Board of Supervisors being entitled to five delegates, upon motion, Messrs. T. G. Norris, H. D. Aitken, R. J. Roper, O. A. Hesla, and W. H. Merritt, County Engineer, were appointed as delegates to the said conference from Yavapai County.

Upon motion, the Treasurer and Ex-Officio Tax Collector was authorized and directed to strike from the Assessment and Tax Roll for the year 1915, the assessment of Hutchins and Nolan, consisting of the Monte Cristo patented mine, and said Tax Collector was further directed to each Mrs. T. J. Nolan and John Hutchins estate one-half Monte Cristo patented mine.

Upon motion, Mr. C. C. Billingsley was authorized to work on the road between Congress Junction and Piedmont for a period not to exceed five days.

Upon motion, the seconded and carried, Mr. Lorenz Anderson was granted the sum of \$1000 per month outdoor relief until further orders of the Board.

Upon motion, Mr. G. S. Fitzmaurice was authorized to spend the sum of \$50.00 in repairs to the old Hydraulics roads.

Upon motion, the Treasurer and Ex-Officio Tax Collector was authorized and directed to strike from the assessment of J. E. McNeely, household furniture assessed at \$200.00, account erroneous assessment.

Upon the recommendation of C. E. Gentry, County Assessor, the Treasurer and Ex-Officio Tax Collector was authorized and directed to strike from the assessment of Oren Towne, personal property amounting to \$150.00, the same being a duplicate assessment.

Upon motion, the Clerk was authorized to install a form of payroll to be used for the presentation of claims for official salaries.

Mr. W. L. Bell appeared before the Board and offered the sum of \$300.00 for the Hudson automobile, belonging to the County. Upon motion, this offer was accepted.

The following claims were taken up and audited, and upon motion warrants in payment of same were ordered drawn upon the Expense Fund, to-wit:

No.	No.	To Whom Drawn and Account.	Amount
1938	1936	R. T. Belcher—First half Sept. salary and expense, Clerk of Board	\$165.53
1939	1937	N. S. Norwood—First half Sept. salary, Assistant Clerk of Board	50.00
1940	1938	J. H. Drew—First half Sept. salary, Janitor, Court House	50.00
1941	1939	A. Crumback—First half Sept. salary, Plaza Gardener	62.50
1942	1940	J. D. Bethune—First half Sept. salary, Superintendent of County Hospital	62.50
1943	1941	Mrs. J. D. Bethune—First half Sept. salary, Matron, County Hospital	37.50
1944	1942	E. C. Young—First half Sept. salary, Steward, County Hospital	37.50
1945	1943	Yep Gan—First half Sept. salary, Cook, County Hospital	35.00
1946	1944	E. D. Ross—First half Sept. salary, Farmer, County Hospital	20.00
1947	1945	J. F. Young—First half Sept. salary, Sheriff	166.66
1948	1946	T. J. Marks—First half Sept. salary, Under Sheriff	75.00
1949	1947	G. W. Bozarth—First half Sept. salary, Deputy Sheriff	62.50
1950	1948	Bonj. Powers—First half Sept. salary, Deputy Sheriff	50.00
1951	1949	Fred Hawkins—First half Sept. salary, Deputy Sheriff	37.50
1952	1950	R. D. Young—First half Sept. salary, Ranger Deputy	37.50
1953	1951	W. O. Townsend—First half Sept. salary, Cook, Jail Mess	42.50
1954	1952	P. J. Farley, Assg. Bank of Arizona—First half Sept. salary, Clerk Superior Court	100.00
1955	1953	A. L. Jones—First half Sept. salary, Deputy Clerk, Superior Court	75.00
1956	1954	James V. Clark—First half Sept. salary, Deputy Clerk, Superior Court	50.00
1957	1955	Lincoln H. Beyerle—First half Sept. salary and transcripts, Court Reporter	108.34
1958	1956	Frank O. Smith—First half Sept. salary, Superior Judge	83.34
1959	1957	Joseph H. Morgan—First half Sept. salary, Asst. County Attorney	75.00
1960	1958	Agnes M. Lerg, Assg. Prescott National Bank—First half Sept. salary, Stenographer for County Attorney	40.00
1961	1959	E. A. Rogers—First half Sept. salary, Treasurer	104.15
1962	1960	P. J. Keohane—First half Sept. salary, Deputy Treasurer	75.00
1963	1961	J. A. Mahoney—First half Sept. salary, Deputy Treasurer	50.00
1964	1962	L. S. Colwell—First half Sept. salary, County Recorder	100.00
1965	1963	E. A. McSwiggan—First half Sept. salary, Deputy Recorder	62.50
1966	1964	James W. Coyne, Assg. Commercial Trust & Savings Bank—Last half Aug. salary, Deputy Recorder	50.00
1967	1965	James W. Coyne—First half Sept. salary, Deputy Recorder	50.00
1968	1966	C. E. Gentry—First half Sept. salary, Assessor	100.00
1969	1967	E. W. Stephens—First half Sept. salary, Deputy Assessor	62.50
1970	1968	Chas. H. McLane, Assg. Bank of Arizona—First half Sept. salary, J. P. Prescott	75.00
1971	1969	W. R. Fitzgerald—First half Sept. salary, Constable, Verde	50.00
1972	1970	J. W. Hudger—First half Sept. salary, Constable, Jerome	37.50
1973	1971	Albert E. McGill—First half Sept. salary, J. P. Congress Junction	7.50
1974	1972	Orville Glenn—First half Sept. salary, Constable, Congress Junction	12.50
1975	1973	Frank F. Bartlett—First half Sept. salary, Constable, Ash Fork	25.00
1976	1974	T. L. Harden—Last half Aug. salary, J. P. Bumble Bee	5.00
1977	1975	T. L. Harden—First half Sept. salary, J. P. Bumble Bee	5.00
1978	1976	Geo. W. Hance—First half Sept. salary, J. P. Camp Verde	5.00
1979	1977	John S. Speer—First half Sept. salary, Constable, Camp Verde	12.50
1980	1978	W. A. Kearns—First half Sept. salary, J. P. Cottonwood	25.00
1981	1979	Joe Cook—First half Sept. salary, Constable, Cottonwood	7.50
1982	1980	B. R. Marks—First half Sept. salary, J. P. Crown King	25.00
1983	1981	J. E. Shearer—First half Sept. salary, Constable, Crown King	12.50
1984	1982	Chas. Kinsman, Assg. Bank of Arizona—First half Sept. salary, Constable, Humboldt	25.00
1985	1983	Ward H. Wheeler—First half Sept. salary, J. P. Mayer	25.00
1986	1984	Thos. E. Thompson—First half Sept. salary, Constable, Mayer	25.00
1987	1985	F. H. Cartmell—First half Sept. salary, J. P. Seligman	12.50
1988	1986	F. L. Campbell—First half Sept. salary and expense, Constable, Seligman	25.50
1989	1987	Mountain States Tel. and Tel. Co.—Phone rentals, Sept.	35.00
1990	1988	L. A. Rubber Stamp Co.—Rubber stamps	4.66
1991	1989	W. G. & R. W. Wingfield—Supplies for County machine	6.90
1992	1990	Baum Bros. Co.—Supplies for Court House	23.50
1993	1991	J. L. Gardner—Supplies for Court House and O.D.R.	59.15
1994	1992	Jeff Claghorn—Services, County farm	18.00
1995	1993	F. Block—Supplies, County Hospital and Plaza	3.50
1996	1994	J. S. Calles—Supplies for County Hospital and Plaza	2.30
1997	1995	W. W. Terry, Assg. Sam Drever—Bounty	3.00
1998	1996	Pete Delzappo—Bounty	10.00
1999	1997	John Chartz—Bounty	3.00
2000	1998	Filiberto Gurule, Assg. S. S. Cutler Co.—Bounty	15.00
2001	1999	Frank Lynch—Bounty	6.00
2002	2000	Joe Lees—Bounty	16.00
2003	2001	James Shears—Bounty	3.00
2004	2002	W. G. & R. W. Wingfield—O.D.R. furnished Ed. Kingsley	10.00
2005	2003	George Flanagan—O.D.R. furnished furnished John Dohl	10.00
2006	2004	Archie Joe & Meat Co.—O.D.R. furnished John Dohl	10.00
2007	2005	M. Redden—O.D.R. furnished indigents	40.00
2008	2006	Mrs. Louise Utter—Care dependent child	12.00

2009	2007	Eli S. Perkins, Assg. Bank of Arizona—O.D.R. furnished	10.00
2010	2008	Tom Murray	13.30
2011	2009	T. Green—Board and supplies for prisoner	5.00
2012	2010	Joe Abbott—Services as interpreter, Superior Court	5.00
2013	2011	Ramon Mirabel, Assg. T. J. Marks—Services as interpreter	2.50
2014	2012	Nick Radakovich—Services as interpreter, Justice Court	5.00
2015	2013	Anton Bisjak—Services as interpreter, Superior Court	5.00
2016	2014	Charles Colquett—Services as bailiff, Superior Court	18.00
2017	2015	E. A. Rogers—Assg. juror's certificate	20.00
2018	2016	Saddle Rock Restaurant—Meals furnished jurors	7.00
2019	2017	F. H. Cartmell—Medical services rendered County patients	25.00
2020	2018	Mary L. Neff—Examination of insane	5.00
2021	2019	T. F. McLoughlin—Transfer charges, N. A. Fair	1.50
2022	2020	L. L. Bates—Expense collecting exhibits	6.95
2023	2021	G. H. Bishop—Stove for use in processing exhibits	3.00
2024	2022	Prescott Transfer Co.—Transfer charges, N. A. Fair	3.50

The following claims having been approved by L. S. Colwell, County Recorder, warrants in payment of same were ordered drawn upon the Expense Fund, to-wit:

1935	1933	Wm. Stephens—First half Sept. salary, Chairman of Board	\$62.50
1936	1934	Henry J. Suder—First half Sept. salary, Supervisor	50.00
1937	1935	H. W. Heap—First half Sept. salary, Supervisor	50.00
The following claims were taken up and audited, and upon motion, warrants in payment of same were ordered drawn upon the Road Fund, to-wit:			
162	135	P. L. Davis—Labor on Prescott to Ash Fork road	\$ 4.50
163	136	Geo. H. Davis—Labor on Prescott to Ash Fork road	4.50
164	137	Geo. L. Human, Assg. to E. A. Rogers—Blacksmith work and supplies, Dewey to Mayer road	18.00</